

City of Concord Planning Board

March 15, 2017

Minutes - DRAFT

The regular monthly meeting of the City Planning Board was held on February 15, 2017, in City Council Chambers, in the Municipal Complex, at 37 Green Street, at 7:00 p.m.

1. Call to Order
Chairman Woodfin called the meeting to order at 7:00 pm. Planning Staff present included Heather Shank (City Planner), Beth Fenstermacher (Assistant City Planner), Bryant Anderson (Associate Engineer), and Lisa Fellows-Weaver (Administrative Specialist).
2. Roll Call
Present: 7 – Chairman Richard Woodfin, Vice-Chair Carol Foss, Matthew Hicks, Ian West, Susanne Smith-Meyer, David Fox, and John Regan.

Absent: 4 – Councilor Byron Champlin, Teresa Rosenberger (Ex-Officio for City Manager), Alternate Chiara Dolcino and Alternate Frank Kenison.
3. Approval of February 15, 2017 Planning Board Meeting Minutes
On a motion made by Ms. Smith-Meyer, and seconded by Mr. West, the Board voted unanimously to accept the minutes of February 15, 2017, as written.
4. Planning Board Chair Overview

Consent Agenda Items

5. Design Review Applications by Consent – If an applicant, Planning Board member, or audience member wishes to remove an item from the Consent Agenda for discussion, it will be pulled for consideration during the public hearing segment of the agenda. Otherwise, consent items are approved subject to the recommendations of the Design Review Committee.
 - 5A. Concord Loudon LP requesting ADR approval to install two new wall signs at 133 Loudon Road in the General Commercial (CG) District. MBL: 114/D2/11

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the application as submitted by consent.
 - 5B. Life Storage LP requesting ADR approval to install a replacement wall sign, and a replacement sign on an existing freestanding structure, at 11 Integra Drive in the Industrial (IN) District. MBL:110/K1/9

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the application as submitted by consent.
 - 5C. Gems First, on behalf of John J. Pappas Revocable Trust, requesting ADR approval to install a new hanging sign at 88 North Main Street in the Central Business Performance (CBP) District. MBL: 45/3/5

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the application as submitted by consent.
 - 5D. Gothic Tattoo, on behalf of TDL Investments, LLC, requesting ADR approval to install an existing sign in a new location, and a new panel in an existing freestanding sign, at 374 Loudon Road in the Gateway Performance (GWP) District. MBL:111/I 4/18

This item was pulled from the consent calendar.

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- 5E. Baron's Major Brands requesting ADR approval to replace existing channel letters with a new wall sign, at 350 Loudon Road in the Gateway Performance (CBP) District. MBL:111/F1/5

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the application as submitted by consent.

- 5F. Goldsmith's Gallery, on behalf of Capital Plaza Concord, LLC, requesting ADR approval to replace an existing wall sign and an existing window sign, at 2 Capital Plaza in the Central Business Performance (CBP) District. MBL:45/1/12

On a motion made by Ms. Smith-Meyer, and seconded by Ms. Foss, the Board voted unanimously to approve the application as submitted by consent.

Public Hearings

Items Pulled from the Consent Agenda

- 5D. Gothic Tattoo, on behalf of TDL Investments, LLC, requesting ADR approval to install an existing sign in a new location, and a new panel in an existing freestanding sign, at 374 Loudon Road in the Gateway Performance (GWP) District. MBL: 111/I 4/18

The applicant was not present. Ms. Smith-Meyer expressed concern with the fact that the proposed sign appears to include a phone number where the existing businesses at this location do not have phone numbers included in their designs. She expressed concern with consistency and asked if this sign complements the sign package or not. Mr. West commented that he felt that from a visual standpoint, having the phone number or not does not really make a difference. Ms. Foss commented that she had no problem with the proposed design and appreciated the fact that they were recycling the existing sign and that the diagram will fit into the new space.

Ms. Smith-Meyer motioned to approve the application with the condition that the sign be designed without the phone number. No second was provided, the motion failed.

On a motion made by Mr. West, and seconded by Mr. Hicks, the Board voted to approve the application as submitted. Ms. Smith-Meyer was not in favor.

6. Site Plan and Subdivision Applications

- 6A. Application by Joseph M. Wichert, on behalf of Peter and Shelley Otto, requesting Minor Subdivision approval for a 2-lot subdivision at 115 West Parish Road in the Open Space Residential (RO) District. MBL: 52/Z/26 (2017-06)

On a motion made by Ms. Foss, and seconded by Mr. Hicks, the Board voted unanimously to determine the application complete. Chairman Woodfin opened the public hearing.

An overview was provided by Ms. Fenstermacher. She noted that there is a steep slope area; however, the applicant was able to meet the buildable and useable area requirements. She indicated that Staff had concerns about the constructability of the driveway, but the applicant provided updated grading information prior to the public hearing. She indicated that all other

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Staff comments were addressed, with the exception of a right-of-way comment from the City Surveyor.

Joe Wichert was present representing the applicants. He provided an overview of the project noting that he is working with the City Surveyor regarding the right-of-way. He noted that they are not requesting any waivers.

There being no further comments from members of the public, the Chair closed the public hearing.

On a motion made by Mr. West, and seconded by Mr. Reagan, the Board **granted Minor Subdivision approval** subject to the following conditions:

- (1) Address Engineering Review Comments dated 3/7/17 to the satisfaction of the Engineering Division.
 - (2) Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.09 of the Subdivision Regulations.
 - (3) The Licensed Land Surveyor shall sign and seal final plans and mylars.
 - (4) Applicant shall submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
 - (5) The Applicant shall deliver to Planning, two plan sets and one (1) mylar(s) for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.
- 6B. Nobis Engineering, LLC, on behalf of NH Distributors, requesting Major Site Plan approval for the construction and renovation of two building additions totaling 64,100 sf, additional parking, new access and circulation, and related site improvements at 65 Regional Drive in the Industrial (IN) District. MBL: 111G/1/32 (2017-03)

Chris Brown and Tom Painchaud of NH Distributors were present along with Erin Lambert of Nobis Engineering.

An overview of the project was provided by Mr. Brown who mentioned the various reasons for the proposed expansion, specifically the need for additional space to conduct business and for the potential growth over the next 10 years.

Ms. Lambert provided an overview of the proposed southwest building addition; a future addition is shown for information purposes, but has not yet been designed. She stated that they plan to return to the Board when the future addition is designed. Ms. Lambert reviewed the proposed site improvements to improve circulation and provide additional truck parking. She also presented the landscape plan and noted changes based on Staff recommendations. Additional trees and shrubs will be planted along the frontage to meet the landscape perimeter requirements.

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Ms. Lambert stated that they have conferred with DES regarding the Karner Blue butterfly habitat. No further habitat is proposed to be disturbed for the proposal. However, depending on the time of year when construction begins, they may need to provide a temporary area for a rare bird species per DES requirements. They will comply with this requirement.

Ms. Lambert stated that the trip generation memo is pending review from the City's traffic engineer.

There being no further comments from members of the public, the Chair closed the public hearing.

On a motion made by Mr. West, and seconded by Mr. Fox, the Board **granted ADR approval** for the building addition located at the southwest corner of the existing structure, the new parking layout, new access and circulation, and related site improvements.

On a motion made by Mr. West, and seconded by Ms. Foss, the Board **granted Major Site Plan approval** for the construction and renovation of two building additions totaling 64,100 sf, additional parking, new access and circulation, and related site improvements at 65 Regional Drive in the Industrial (IN) District, subject to the following precedent and subsequent conditions:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to issuance of any building permits, or the commencement of site construction, unless otherwise specified:
 - (1) Address all items under Comments 2 and 3 of the Planning Staff report dated 3/15/2017 to the satisfaction of the Planning Division.
 - (2) Address all Engineering comments in the memo dated 1/5/17 and any subsequent revisions to the satisfaction of the Engineering Division.
 - (3) Provide a letter or other documentation of communications and agreement with NHFG regarding the current proposal.
 - (4) Submit three (3) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
- (b) Subsequent Conditions – to be fulfilled as specified:
 - (1) Prior to commencement of construction activity, payment of inspection fees in an amount approved by the City Engineer shall be made.
 - (2) A pre-construction meeting shall be required prior to the start of any construction activities onsite. The applicant shall pick up one (1) set of signed plans at the Planning Office to make copies for the pre-construction meeting. A total of seven (7) copies of the signed plan set shall be provided by the applicant at the pre-construction meeting.
 - (3) Prior to the issuance of a Certificate of Occupancy, as-built drawings shall be provided to the City Engineer in accordance with Section 12.09 of the Site Plan Regulations. The as-built drawings shall be surveyed on NH State Plane coordinates and NAVD 88 Datum.
 - (4) Prior to the issuance of a Certificate of Occupancy, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic

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Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.08 of the Site Plan Review Regulations and all information shall be converted to a vertical datum of NAVD 88.

- (5) Traffic impact fees shall be assessed for any non-residential construction contained within the limits of the approved site plan. The impact fees and procedures shall be those in effect at the time of the issuance of a building permit as set forth in the City of Concord Code of Ordinances, Chapter 29.2, Public Capital Facilities Impact Fee Ordinance. The specific fees assessed are those contained in Section 29.2.1-1 Assessment and Collection; subsection (b) Computation of the Amount of Impact Fees; Table 3, Transportation Facilities Impact Fee per Variable Unit.

7. State & Municipal Projects Under RSA 674:54

- 7A. HL Turner Group, on behalf of the City of Concord, for review and comment of a Minor Site Plan submission pursuant to RSA 674:54 to demolish the existing skate house at White Park, construct a new skate house on the existing foundation, and construct a new sidewalk connecting to the existing parking lot at 1 White Street in the Residential Neighborhood (RN) District. *MBL: 48/7/1 (2017-05)*

David Gill, City of Concord Parks & Recreation Director, along with Mark McLeod and Doug Proctor of HL Turner Group were present.

Ms. Fenstermacher provided an overview noting the recommendations from the ADR Committee meeting to address the backside of the building facing the pool area, and replace mature trees to be removed.

Mr. Proctor provided an overview of the project and explained that the existing skate house was built in the 1950's and is approximately 1,700 square feet. The proposal is to demolish the existing structure down to the foundation, and to construct a new two-level, wood framed skate house on the existing foundation with restrooms, a skate rental area, a viewing area, a double-sided fireplace, and outside seating areas. The upper level area will be for storage. There will also be a new ADA compliant sidewalk that will connect the skate house to the existing parking lot.

The elevations were reviewed. The roof materials were discussed and concern was expressed regarding snow. They are looking into ways to address snow falling off the roof onto the outdoor patio; the roof will remain as a shingled roof to hold the snow, and Parks & Recreation will remove snow from the roof as needed.

Ms. Foss suggested that they consider fowl friendly glass. Mr. Proctor indicated that they will be using glass that is bird-friendly and will also be able to withstand hockey puck strikes. Ms. Smith-Meyer asked for clarification about removing trees if the existing foundation is being used; Mr. Proctor responded that the trees are very close to the building and the shading from the trees has caused mold issues, and other trees will be removed due to the patio and pathway location. Mr. Gill indicated that they plan to replace any trees that are being removed.

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Discussion ensued regarding materials for the stone wall and accents. Mr. Proctor stated that ADR provided recommendations regarding this matter. He noted that they have not made a final decision; however, are trying to use something that matches the trolley stop and field stone on the nearby footbridge.

Abutter Evan Mulholland spoke in support of the project, and stated his appreciation for the Parks & Recreation Department including the neighborhood in the process. He added that he appreciates the idea of fowl friendly glass. He asked about the heating system and expressed concern with open fires outside. Mr. Gill replied that the fireplace is gas with an emergency shut off.

Abutter Mary Zeal stated that she was pleased to learn that the fire place is gas and not wood.

Ms. Fenstermacher mentioned ADR comments regarding the window treatments and scale of windows at the pool side. She explained that the ADR Committee suggested to change the façade to provide a more visual interest and recommended the trim to have a more color and planar relief; increase the sizes of the two windows but fill with recessed clapboard instead of glazing; or, add timber trim and wrap the stone base around to that side of the building. Mr. Proctor noted that the area on the second floor is for storage and the windows are to add daylight. Ms. Smith-Meyer asked if there was room for plantings to break up the façade, and she suggested that the wall could be used as a community directory, and also suggested the placement of a bulletin board.

Mr. Gill stated that the gravel access road for maintenance trucks is located right up against the building, so landscaping is not feasible.

Mr. Gill explained that the goal is to have the facility used year-round, 25 hours per week.

There being no further comments from members of the public, the Chair closed the public hearing and thanked Mr. Gill for presenting to the Board.

- 7B. Nobis Engineering, on behalf of the Merrimack Superior Court House, requesting ADR review as part of a Major Site Plan submission pursuant to RSA 674:54 to demolish the existing Registry of Deeds building and construct a new 2½ story 60,055 sf Courthouse at 163 North Main Street in the Civic Performance (CVP) District. MBL: 46/1/1 (2017-07)

Chris Carley was present along with Erin Lambert from Nobis Engineering, Ari Pollock, council representing the County, was also in attendance.

Ms. Shank updated the Board on the progress of the project noting that there are still some issues that Staff would like to see addressed with regard to Planning and Engineering comments.

Mr. Carley stated that there have been several design meetings with State and City Staff leading to this proposed plan set. He commented that it is a major accomplishment that the City will be able to keep the Court House in the downtown area. He explained that the plan is to demolish the existing Registry of Deeds building, construct a new 2½ story, 35,000 sf

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building behind the existing Courthouse, and construct a parking lot where the Registry of Deeds is currently located. He stated that the proposed site layout meets the County's requirement that 150 parking spaces be provided.

Mr. Carley provided an explanation of the interior layout of the building noting public and non-public areas, court rooms, and office spaces. He also described how the interior layout reflected the design of the exterior – the large black granite protrusion which creates a physical/visual divide between the open public space (glass) and the intentional solid and regular part of the building that houses the court rooms. He stated that the exterior of the building will consist of solar-gray glass, metal, and stone veneer or black granite and polychrome masonry have been reviewed and approved by the State. He explained that the entrance to the Courthouse will be from Pitman Street with secured parking and secured access provided from the Court Street side. An ADA accessible sidewalk with ramps is proposed from N. Main Street and Pitman Street.

A discussion ensued as to the retaining wall proposed. Mr. Carley explained that the proposal requires a 6' height maximum retaining wall within the City's right of way on N. Main Street, a license with the City will be required for this encroachment. He stated that the retaining wall design has not been finalized and they will return to ADR when the design is complete. He further explained that they are currently looking into a planted wall, and provided an overview of the details.

Other discussion ensued as to the landscaping proposed on the site. The intent of the landscaping is to provide plantings wherever possible, and to visually break up the area around the parking lot and the paved areas. Ms. Shank noted that the provision of shade trees in the parking lot median was a significant factor in her support for the encroachment into the right of way. She noted that she would expect the trees to be provided, consistent with earlier discussions with the design team. Ms. Shank also suggested trees for shade along Court Street and shrubs for screening. She referred to the shrub and shade tree screening provided out in front of City Hall across the street.

Mr. Fox asked the applicant to consider the limited parking issues in the area. Mr. Pollock replied that the proposal will allow the Courthouse and Registry to gain parking.

Ms. Shank asked about the Doyen Monument and the existing granite boulders. Mr. Carley stated that the monument will be incorporated into the landscaping along the Pitman Street side of the building, and that he is not aware of any plan for the boulders at this time.

Ms. Lambert provided an overview of the revised plan noting that 2-way circulation will be provided along with another parking lot landscape island. She noted that the proposal will reduce the impact to stormwater and this is an overall betterment for the city. There is no lighting plan submitted at this time. She noted that there will be screening for the recycling and dumpster locations.

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Ms. Shank stated that the project will be returning to the ADR Committee for further review of the retaining wall, as review and approval by the Board is intended to be a condition of the license agreement for the encroachment into the right of way. She added that ADR expressed concern with the part of the property facing the residential area and the need for screening with trees to soften the back area of the building. Mr. Carley replied that there will be a consultation with Staff prior to returning to meet with ADR.

Ms. Smith-Meyer commented that the corner is a nice asset for the entrance. She suggested that they consider extending the canopy over the walkway/stairway. Mr. Carley appreciated that suggestion and added that there needs to be a considerable area for standing with cover. He added that there are some circumstances where the court summons a large number of people so it would be nice to have a place to stand; it is an architectural element and allows for coverage as well.

There being no further comments from members of the public, the Chair closed the public hearing and thanked the design team for presenting to the Board.

8. Amendments & Other Business

- 8A. City of Concord Pedestrian Master Plan – A presentation and summary by the Central New Hampshire Regional Planning Commission, prepared in conjunctions with the Pedestrian and Bicycle Subcommittee of TPAC and City Staff, for feedback and possible adoption.

Ms. Shank briefly reviewed last month's presentation from Craig Tufts from the Central Regional NH Planning Commission regarding the proposed Pedestrian Master Plan. She mentioned that there were a few minor amendments made based on comments received from Board members and Staff. She stated that it is now up to the Board to accept the document and in doing so the plan becomes effective immediately.

There being no further comments from members of the public, the Chair closed the public hearing.

On a motion made by Ms. Smith-Meyer, and seconded by Mr. Hicks, the Board unanimously approved accepting the Pedestrian Master Plan, as presented.

Other Business

9. Town of Boscawen Lot Line Adjustment – The City of Concord is required to give approval for any project that shares a municipal boundary under RSA 674:53.

Ms. Shank explained that the Board is required to give an approval for any project in an adjacent municipality that shares a municipal boundary with the City. The current proposal is a lot line adjustment that proposes to shift the location of a right of way off of Canal Street.

Web Stout was present relative to this application and explained that the property is adjacent to the old tannery site in Penacook. He stated that the right of way needed to be shifted to accommodate the alignment of the road.

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On a motion made by Mr. West, and seconded by Mr. Fox, the Board **granted approval** for the lot line adjustment with the Town of Boscawen, as presented.

Adjournment

With no further business before the Board, Mr. Hicks made a motion to adjourn at 9:15 p.m., seconded by Ms. Foss. Motion carried.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver
Administrative Specialist